

1638



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Short, et al.                      Art Unit : Unknown  
Serial No. : 10/021,723                      Examiner : Unknown  
Filed : December 12, 2001  
Title : RECOMBINANT PHYTASES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Enclosed for filing in the above-referenced patent application is a Form PTO-1449, being submitted prior to the first Office Action on the merits. Applicants respectfully request consideration of the remarks and references set forth herein.

The following documents are enclosed herewith:

- copy of Form PTO-1449
- Postcard
- copies of cited references
- copy of International Search Report

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

July 1, 2003

Signature

*Susan Semmich*

SUSAN SEMMICH

Typed or Printed Name of Person Signing Certificate

Applicant : Short, et al.  
Serial No. : 10/021,723  
Filed : December 12, 2001  
Page : 2 of 2

Attorney's Docket No.: 09010-903001 / DIV-016CIP



### REMARKS

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

A copy of the International Search Report for PCT/US01/48774, a counterpart international application, is enclosed for the Examiner's convenience.


Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. If necessary, please deduct any necessary additional fees from, or credit any overpayment to, the above-noted Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

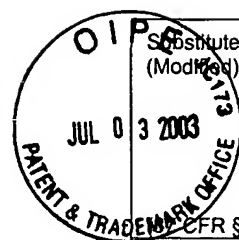
Date: \_\_\_\_\_

7-1-03

  
\_\_\_\_\_  
Gregory P. Einhorn  
Reg. No. 38,440

Bing ai  
Reg. 43.312

Fish & Richardson P.C.  
4350 La Jolla Village Drive, Suite 500  
San Diego, California 92122  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099


 Substitute Form PTO-1449  
 (Modified)

 U.S. Department of Commerce  
 Patent and Trademark Office

 Attorney's Docket No.  
 09010-903001

 Application No.  
 10/021,723

**Information Disclosure Statement  
 by Applicant**

(Use several sheets if necessary)

CFR §1.98(b))

 Applicant  
 Short, et al.

 Filing Date  
 December 12, 2001

 Group Art Unit  
 1649

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	6,033,897	March 7, 2000	Chu et al.			
	AB						
	AC						
	AD						
	AE						
	AF						

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AG	WO 00/64247	Nov 2, 2000	PCT				
	AH	0 684 313 A2	Nov 29, 1995	EP				
	AI	WO 00/71728	Nov 30, 2000	PCT				
	AJ							
	AK							

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	AL	Pen, et al., "Phytase-Containing Transgenic Seeds as a Novel Feed Additive for Improved Phosphorus Utilization", <u>Biotechnology</u> , Vol. 11, No. 7, pp 811-814, July 1, 1993
	AM	Dvorakova, "Phytase: Sources, Preparation and Exploitation", <u>Folia Microbiologica</u> , Vol. 43, No. 4, pp 323-338, 1998
	AN	Han et al., "Role of Glycosylation in the Functional Expression of an <i>Aspergillus niger</i> Phytase ( <i>phyA</i> ) in <i>Pichia pastoris</i> ", <u>Archives of Biochemistry and Biophysics</u> , Vol. 364, No. 1, pp. 83-90, April 1, 1999
	AO	Rozas, et al., "DnaSP, DNA sequence polymorphism: an interactive program for estimating population genetics parameters from DNA sequence data", <u>CABIOS Computer Applications in the Biosciences</u> , Vol. 11, No. 6, pp. 621-625, 1995
	AP	Pearson, et al., "Improved Tools for Biological Sequence Comparison", <u>Proceedings of the National Academy of Sciences of USA</u> Vol. 85, pp. 2444-2448, April, 1988
	AQ	Altschul, et al., "Basic Local Alignment Search Tool", <u>Journal of Molecular Biology</u> , Vol. 215, pp. 403-410, 1990

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.